

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 020801-000810US	
I hereby certify that this correspondence is being filed with the United States Patent and Trademark Office via EFS-Web on <u>September 8, 2009</u> Signature <u> /Linda Shaffer/</u> Typed or printed name <u>Linda Shaffer</u>		In re Application of Anthony Boey et al. <hr/> Application Number 09/744,103 Filed December 10, 2001 <hr/> For LIPOSOMAL ENCAPSULATED NUCLEIC ACID-COMPLEXES <hr/> Art Unit 1612 Examiner Gollamudi S. Kishore	

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 540

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 270

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 20-1430.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

<input type="checkbox"/> applicant/inventor.	<u>/Eugenia Garrett-Wackowski, Reg. No. 37,330/</u> <hr/> Signature
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	<u>Eugenia Garrett-Wackowski</u> <hr/> Typed or printed name
<input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>37,330</u>	<u>925-472-5000</u> <hr/> Telephone number
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____	<u>9/8/09</u> <hr/> Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.